

CARLOS M. RAMIREZ
MAYOR

ONICA D. CUNNINGHAM
DEPUTY ADMINISTRATIVE OFFICER

ESTRELLA ESCOBAR
EXECUTIVE ASSISTANT TO THE MAYOR

MARK THREADGILL
EXECUTIVE ASSISTANT TO THE MAYOR



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

PRESI ORTEGA, JR.
DISTRICT NO. 5

PAUL JOSEPH ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ELVIA G. HERNANDEZ
DISTRICT NO. 8

REGULAR COUNCIL MEETING COUNCIL CHAMBERS JANUARY 9, 2001 9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Carlos M. Ramirez present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Presi Ortega, Jr., Paul Joseph Escobar, Luis G. Sariñana and Elvia G. Hernandez. Absent: None. Meeting was called to order and the invocation was given by Dr. William Moore, Sr., Bethel Church of God in Christ, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

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Motion made by Representative Ortega, seconded by Representative Sumrall, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.
(Items approved under Consent Agenda will be shown with an asterisk {*}).
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*Motion made, seconded and unanimously carried to approve the Minutes for Regular Council Meetings of November 21, 2000 and November 28, 2000.
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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to submit a grant application from the El Paso Museum of Art to the Texas Commission on the Arts, for the Exhibition Support Program, for the amount of FIFTEEN THOUSAND AND NO/100 DOLLARS (\$15,000.00). City in-kind match is required in the form of exhibition expenses for materials and supplies, printing, family day and opening reception and educational programming in the amount of FIFTEEN THOUSAND AND NO/100 DOLLARS (\$15,000.00). Matching funds are available from Index Fund No. 010331 (Museum Curatorial/General Fund) from fiscal year 2001-2002's budget.
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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to submit a grant application from the El Paso Museum of Art to the Texas Commission on the Arts, for the Texas Apprenticeship Program, for the amount of FIVE THOUSAND AND NO/100 DOLLARS (\$5,000.00). City in-kind match is required in the form of Museum staff salaries

and fringe benefits in the amount of FIVE THOUSAND AND ONE HUNDRED NINETEEN AND NO/100 DOLLARS (\$5,119.00). Matching funds are available from Index Fund No. 010331 (Museum Curatorial/General Fund) from fiscal year 2001-2002's budget.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City Council hereby adopts the attached Procedures for the Acquisition and Disposition of Homes under the U. S. Housing and Urban Development's Good Neighbor Policy Initiative, which allows a municipality to acquire homes which have been obtained by HUD/FHA by foreclosure and held for a period of six months, to be administered by the Community and Human Development Department of the City.

Mayor Carlos M. Ramirez stated this item was moved to the Regular Agenda for information purposes.

Representative Hernandez asked Deborah Hamlyn, Director of Community & Human Development, if she had an inventory of the properties.

Ms. Hamlyn explained the background regarding the HUD Good Neighbor Policy. She explained the item being discussed was regarding the procedures for the acquisition and disposition of the homes. She stated there were very few homes, if any, at this time. Ms. Hamlyn explained if a home has not sold in six months it would be considered for this program. She stated those individuals in the First Time Homebuyers Program will be considered first, secondly, those individuals in the Community Housing Development Organizations; and thirdly, non-profit organizations that would want to convert these homes to a day-care center, for instance.

Motion made by Representative Hernandez, seconded by Representative Sumrall and unanimously carried t approve the above Resolution.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Application for Public Assistance to be submitted to the Environmental Protection Agency for funding to assist in the development of a brownfields redevelopment project that will focus initially on the area of the El Paso Empowerment Zone. The City of El Paso is requesting \$250,000 in EPA funding to be matched by the City's in-kind costs of approximately \$119,873. The funds for the in-kind match are available and have been previously budgeted for this project.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Engineering Services between the CITY OF EL PASO and Huitt-Zollars, Inc., for a project known as "Collingsworth Subdivision Phase IV Street and Drainage Improvements" for an amount not to exceed \$81,667.52.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Engineering Services between the **CITY OF EL PASO** and **Margon, Inc.**, for a project known as "**Pecan Grove Park Development**" for an amount not to exceed \$28,500.00.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City of El Paso, be authorized to sign the attached Release of Lien for costs of locating the owner of record to undertake repairs located on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this condemnation lien:

| | <u>Lien Amount</u> | <u>Amount Paid</u> |
|---------------------|--------------------|--------------------|
| 2127 Central Avenue | \$2,906.16 | \$2,906.16 |

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign release of liens on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to these sanitation liens for :

| | <u>Lien</u> | <u>Interest</u> | <u>Total Paid</u> |
|-----------------------------------|-------------|-----------------|-------------------|
| 0000 San Jose Road | \$370.16 | \$141.45 | \$511.61 |
| 0000 Valle Sereno/San Jose Avenue | \$425.96 | \$140.49 | \$566.45 |

***RESOLUTION**

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 16th day of May, 2000, after due notice and hearing, ordered ALEXANDRA A. POWERS, record Owner of the hereinafter described property remove the mobile home within thirty (30) days, and secure and clean the premises of all weeds, trash, and debris all within thirty (30) days; and that any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to remove the mobile home and secure and clean the premises of all weeds, trash and debris and the owner having failed after due notice to comply with such ORDER, the City Street Department, proceeded to remove the mobile home and secure and clean the premises of all weeds, trash, and debris; under the direction of the Deputy Director for Building Services Department.

WHEREAS, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of removing the mobile home and secure and clean the premises of all weeds, trash, and debris:

Lot 18 (4679.42 Sq Ft) & 19 (5945.64 Sq Ft) S# 5042-4564 (10625.06 Sq Ft), Block 4, Bonanza Mobile Homes, El Paso, Texas, El Paso County, Texas; municipally known and numbered as 6552 Rio Mira Road, El Paso, Texas;

to be \$2,694.89, performed by the City of El Paso Street Department, \$923.27 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report, making a total of \$3,618.16. The City Council finds that the work was completed on the 3rd day of August, 2000, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of THREE THOUSAND SIX HUNDRED EIGHTEEN AND 16/XX DOLLARS (\$3,618.16) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 16th day of May, 2000, after due notice and hearing, ordered FRANCISCO VELASQUEZ, 4105 PAYNE CIRCLE, EL PASO, TEXAS 79930, record Owner of the hereinafter described property secure the Building and maintain the Building secure within thirty (30) days, and clean the premises of all weeds, trash, and debris all within thirty (30) days; and that any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris, and the owner having failed after due notice to comply with such ORDER, the City Street Department, proceeded to secure the Building and maintain the Building secure, and clean the premises of all weeds, trash and debris; under the direction of the Deputy Director for Building Services Department.

WHEREAS, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of securing and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 27, Clark & Clark Addition AKA Dichiara Addition, according to the City Block Map in the Office of the County Clerk of El Paso County, Texas; municipally known and numbered as 4105 Payne Circle, El Paso, Texas;

to be \$565.28, performed by the City of El Paso Street Department, \$583.72 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report, making a total of \$1,149.00. The City Council finds that the work was completed on the 28th day of July, 2000, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of ONE THOUSAND ONE HUNDRED FORTY-NINE AND NO/XX DOLLARS (\$1,149.00) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

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***RESOLUTION**

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 16th day of May, 2000 and the 10th day of June, 2000, after due notice and hearing, ordered LOUIE LUNG WAH (ET AL) AND MUN SUEY WOO, PAUL WOO (PROBATE)(GRANDSON), AND DALILA WOO AND VICTOR M. AUTRY IV (DAUGHTER), BENNY WOO, AKA & YIM PIN CHOW (SON), WONG LAW HONG (TRUSTEE)(DECEASED)(ACCESSED OWNER), LUNG WAH LOUIE (TRUSTEE) AND JUANITA D. WONG(SUBSTITUTE EXECUTOR), record Owners of the hereinafter described property vacate and secure the second and third floors of the Building and maintain the second and third floors of the Building secure, and clean the premises of all weeds, trash, and debris all within thirty (30) days; and the owners having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to vacate and secure the second and third floors of the Building and to maintain the second and third floors of the structure secure, and clean the premises of all weeds, trash and debris; and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Department of Community and Human Development proceed to relocate and vacate the Building.

WHEREAS, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of relocation and securing and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Portion of Lot 142, Block 33, ANSON MILLS MAP, an Addition in the City of El Paso, El Paso County, Texas, according to the City Block Map in the Office of the County Clerk of El Paso County, Texas, and being more particularly described by metes and bounds in Exhibit "A", attached hereto and made a part of for all purposes, (Exhibit on file with this Resolution in the City Clerk's office)

to be \$11,100.00, performed by the City of El Paso Department of Community and Human Development, \$900.60 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report, making a total of \$12,000.60. The City Council finds that the work was completed on the 9th day of June, 2000, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of TWELVE THOUSAND AND 60/XX DOLLARS (\$12,000.60) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

Motion made, seconded and unanimously carried to move to the regular agenda the following:

R E S O L U T I O N

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF EL PASO, PURSUANT TO INTERNAL REVENUE CODE REGULATION SECTION 1.150-2(e), TO FINANCE CERTAIN EXPENDITURES TO BE INCURRED FOR YEAR 2001 CAPITAL IMPROVEMENTS FROM THE PROCEEDS OF THE SALE OF CITY TAX-EXEMPT OBLIGATIONS. (YARBROUGH EXTENSION)

WHEREAS, the City of El Paso, Texas (the "City") is a governmental entity authorized to issue obligations to finance its activities pursuant to the laws of the State of Texas, the interest on which is excludable from gross income for federal income tax purposes ("Tax-Exempt Obligations") pursuant to Section 103 of the United States Internal Revenue Code of 1986, as amended (the "Code"); and,

WHEREAS, the City will make, or has made not more than 60 days prior to the date hereof, payments with respect to the acquisition, construction, reconstruction or renovation of the property listed on Exhibit "A", (all Exhibits are on file with this Resolution in the City Clerk's office) attached hereto; and,

WHEREAS, the City has concluded that it does not currently desire to issue Tax-Exempt Obligations to finance the costs associated with the property listed on Exhibit "A" attached hereto; and,

WHEREAS, the City desires to reimburse itself for the costs associated with the property listed on Exhibit "A" attached hereto from the proceeds of Tax-Exempt Obligations to be issued subsequent to the date hereof; and,

WHEREAS, the City reasonably expects to issue Tax-Exempt Obligations to reimburse itself for the costs associated with the property listed on Exhibit "A" attached hereto; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

Section 1. The City Council hereby declares the intention of the City of El Paso, Texas, pursuant to Regulation Section 1.150-2(e) of the United States Internal Revenue Code, to finance expenditures to be incurred from the proceeds of the sale of the City's Tax-Exempt Obligations.

Section 2. The City reasonably expects to reimburse itself for all costs that have been or will be paid subsequent to a date that is sixty days prior to the date hereof and that are to be paid in connection with the acquisition, construction, reconstruction or renovation of the property listed on Exhibit "A" attached hereto from the proceeds of Tax-Exempt Obligations to be issued subsequent to the date hereof, for the project known as the Yarbrough Extension.

Section 3. The City reasonably expects that the maximum principal amount of Tax-Exempt obligations issued to reimburse the City for the costs associated with the property listed on Exhibit "A" attached hereto will not exceed \$770, 000.00.

Section 4. The Mayor is hereby authorized to make any necessary budget appropriations or adjustments to comply with the intent expressed in this resolution.

Mr. Ray Gilbert, citizen, inquired as to the estimated cost of construction. Mr. Bill Chapman, Chief Financial Officer, responded \$770,000.00.

Motion made by Representative Ortega, seconded by Representative Medina and unanimously carried to approve the above Resolution.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A LOCAL PROJECT ADVANCE FUNDING AGREEMENT BETWEEN THE CITY OF EL PASO AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE ENGINE NO. 1 PLAZA PROJECT, EL PASO, EL PASO COUNTY, TEXAS.

WHEREAS, the City of El Paso submitted to the State a nomination for consideration under the Statewide Transportation Enhancement Program for a project known as the Engine No. 1 Plaza Project, hereinafter called the Project; and,

WHEREAS, the Texas Transportation Commission passed Minute Order 108065 awarding funding for projects in the 1999 Program Call of the Statewide Transportation Enhancement Program, including the Project; and,

WHEREAS, the City of El Paso desires to sign a Local Transportation Project Advance Funding Agreement with TXDOT to provide for the duties, funding and responsibilities of the City of El Paso and TXDOT to accomplish the Project; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The Mayor is hereby authorized to sign, on behalf of the City, a Local Transportation Project Advance Funding Agreement between the City and the State, acting by and through the Texas Department of Transportation, to provide for the duties, funding and responsibilities of the City of El Paso and the State of Texas for the project known as the Engine No. 1 Plaza. The Mayor is further hereby authorized to make any necessary budget appropriations or adjustments to comply with the intent expressed in this resolution.

Mayor Carlos M. Ramirez explained that this requires moving Engine No. 1 from the property at the University of Texas at El Paso to the Union Plaza, incorporating it into the project across from the Civic Center.

Representative Hernandez inquired as to the cost and the date of the transfer of the engine.

Ms. Terry Quezada, Assistant Director, Public Works Department, explained there was no date set and told Council Members the breakdown of the cost would be an 80/20 match.

Mr. Terry Scott, Director of Sun Metro, made comments regarding the Union Plaza Project.

Motion made by Representative Hernandez, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

Representative Ortega was not present for the vote.
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Motion made, seconded and unanimously carried to move to the regular agenda the following:

**A RESOLUTION RELATING TO THE GIVING OF NOTICE OF
INTENTION TO ISSUE CITY OF EL PASO, TEXAS, COMBINATION TAX
AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2001, AND
PROVIDING AN EFFECTIVE DATE**

WHEREAS, the City of El Paso, Texas (the "City"), pursuant to Section 271.041-.063, Texas Local Government Code, as amended, is authorized to issue its certificates of obligation for the purpose of paying contractual obligations to be incurred for the purpose(s) set forth below; and

WHEREAS, the City Council of the City has found and determined that a notice of intention to issue certificates of obligation should be published in accordance with the requirements of applicable law;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS THAT:

Section 1. The findings and determinations set forth in the preambles hereto are hereby incorporated by reference for all purposes.

Section 2. The City Clerk of the City is hereby authorized and directed to issue a notice of intention to issue certificates of obligation in substantially the form attached hereto as Exhibit A. (Exhibit on file with this Resolution in the City Clerk's Office.)

Section 3. The foregoing notice shall be published once a week for two consecutive weeks, the date of the first publication being not less than the fourteenth (14th) day prior to the date set forth in the foregoing notice for passage of the ordinance authorizing the Combination Tax and Revenue Certificates of Obligation. Such notice shall be published in a newspaper of general circulation in the area of the City of El Paso, Texas.

Section 4. That this resolution shall take effect from and after the date of its passage.

Mayor Carlos M. Ramirez explained the issues regarding this Resolution.
Representative Escobar stated he is in support of the City's projects regarding the Animal Shelter.

Mr. Ray Gilbert, citizen, asked what were the total dollar amount of the Certificates of Obligation.
Mr. Bill Chapman, Chief Financial Officer, explained the disbursement of monies. Mr. Chapman explained the current debt levy for the City is 17¢. He added that the General Obligation Bonds were approved by the voters. He further stated the City's current rating is AA.

Mr. Daryl Cole, Deputy Director for Streets, made comments regarding the system used to pave streets.

Mr. Chapman stated the total indebtedness is \$375 million, which for a major city is very low. He added that El Paso is one of the lower cities in the United States as far as debt per capita.

Representative Ortega inquired about a negative rating the City received some years ago.
Ms. Monica D. Cunningham, Chief Administrative Officer, explained it was due to the peso devaluation.
Representative Sumrall commented that we are in better financial condition. Ms. Cunningham agreed.

Motion made by Representative Hernandez, seconded by Representative Ortega and unanimously carried to approve the above Resolution.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Texas Book Festival Grant Application and related documents for the Lower Valley Branch of the El Paso Public Library totaling \$2,500. No matching funds required.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Library Director be authorized to sign the Exhibit Contract with Fred Sunderman covering the exhibition, "Model Railroad Trains," at the Westside Branch of the El Paso Public Library System for the period of January 5, 2001, to February 2, 2001. This exhibition is at no cost to the City.

Representative Hernandez asked if this exhibit will be displayed at other libraries in the City. Ms. Carol Brey, Director of Library Systems, stated this is a good suggestion and she would consider it.

Motion made by Representative Hernandez, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **MARIE LIVINGSTON** to work as an Aid in teaching the *Neighborhood Kids Program* at the Museum of Art at the hourly rate of \$15.00, 20 hours per week. The total amount of the contract shall not exceed \$1,250.00 and the contract period is from January 16, 2001 through May 31, 2001 and is subject to approval of the City's Civil Service Commission.

Representative Hernandez asked for elaboration; however, a representative from the Museum of Art was not available.

Motion made by Representative Sariñana, seconded by Representative Medina and unanimously carried to approve the above Resolution.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **MARGARITA PORRAS** to work as an Aid in teaching the *Neighborhood Kids Program* at the Museum of Art at the hourly rate of \$15.00, 20 hours per week. The total amount of the contract shall not exceed \$1,250.00 and the contract period is from January 16, 2001 through May 31, 2001 and is subject to approval of the City's Civil Service Commission.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Agreements with the following for programs at various branches of the El Paso Public Library. There is no cost to the City.

1. Juliette Hart, Storyteller
2. Ysleta Independent School District, Ysleta High School Marimba Band
3. El Paso Independent School District, LBJ Elementary Modern Dance Troupe

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor authorize expenditure of five hundred dollars (\$500.00) from the Parks & Recreation Administration Fund for the Martin Luther King Food Drive on January 15, 2001.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000/2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**MULTIPURPOSE CENTER
NO. 510032, SUB-OBJECT 202214**

1. CONTRACTOR: Monica Esqueda, Kickboxing Instructor
DATES: January 2, 2001 thru April 30, 2001
RATE PER CL: \$10.30
MAXIMUM AMT: \$350.20
CONTRACT: 2000/2001-119
2. CONTRACTOR: Rebecca Manriquez, Aerobics Instructor
DATES: January 2, 2001 thru April 30, 2001
RATE PER CL: \$10.30
MAXIMUM AMT: \$360.50
CONTRACT: 2000/2001-120

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2000/2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**MULTIPURPOSE CENTER
NO. 510032, SUB-OBJECT 202215**

1. CONTRACTOR: Naomi Marie Rivera, Folklorico Instructor
DATES: January 9, 2001 thru April 30, 2001
RATE PER CL: \$11.85
MAXIMUM AMT: \$426.60
CONTRACT: 2000/2001-121

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2000-2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**NOLAN RICHARDSON RECREATION CENTER
NO. 510074, SUB-OBJECT 201011**

1. CONTRACTOR: Delfina Gomez, Daycare Director, Step 1
DATES: January 1, 2001 thru August 31, 2001
RATES PER HR: \$7.75
CONTRACT NO: 2000/2001-156

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to the Agreement with the PARKHILL, SMITH & COOPER, INC., to lend them three (3) additional 32 Gallon Containers, for a total of four (4) 32 Gallon Bin, in exchange for their recyclable materials in conjunction with the Department of Solid Waste Management's recycling program. This Agreement is at no cost to the City.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement with VISITING NURSE ASSOCIATION OF EL PASO, INC. to lend them one (1) 32 Gallon Container in exchange for their recyclable materials in conjunction with the Department of Solid Waste Management's recycling program. This Agreement is at no cost to the City.

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***RESOLUTION**

You are hereby notified that at 9:00 a.m. on the 30th day of January, 2001 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 7429 Roselane Circle, AKA 7429 Rose Lane Circle, in El Paso, Texas, which property is more particularly described as:

Lot: Portions of Tract 23, First Supplemental Map of Paisano Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof recorded in Volume 15, Page 35, Plat Records of El Paso County, Texas, and being more particularly described by metes and bounds in Exhibit "A" and "B" attached hereto and made a part hereof for all purposes is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Teresa C. Lerma, 1417 Montana Avenue, El Paso, Texas 79902-5617 and 7429 Roselane Circle, AKA 7429 Rose Lane Circle, El Paso, Texas 79901 is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Buildings should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work.

If the Owner fail, neglect or refuse to comply with the order of City Council the City may pursue one, or all of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Buildings in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owners' lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

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***RESOLUTION**

You are hereby notified that at 9:00 a.m. on the 13th day of February, 2001 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 189 S. Collingsworth St., in El Paso, Texas, which property is more particularly described as:

Lots: 12-14 and the South 37.5 feet of Lot 15, Block 2, Collingsworth Subdivision, a subdivision in the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 5, Page 13, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Steven S. & Maria Stoiber, 189 S. Collingsworth St., are listed as the Owners of the real property described herein.

The Owners of said property is hereby ordered to appear before City Council and any mortgagee, lien holders, and other persons having an interest in said property are entitled to appear before City Council

at said date, hour, and place to show cause why said Buildings should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or all of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Buildings in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owners' lawful homestead and;
- III) the Owners may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

.....
*Motion made, seconded and carried to approve the request that the following Housing Reconstruction Application be approved in the amount shown below as recommended by the Director of Community and Human Development and that the City Comptroller be authorized to issue a check in the amount shown below for the approved application.

| | |
|------------------------|--------------------|
| H00-11-OL-1499 | Loan: \$55,000.00 |
| Interest at 2% | Total: \$55,000.00 |
| 1401 E. Third St. (01) | Term: 20 Years |

.....
*Motion made, seconded and carried to approve the request that the following First Time Home Buyers applications be approved in the amounts shown below as recommended by the Director of Community and Human Development and that the City Comptroller be authorized to issue checks in the amounts shown below for the approved applications.

| | | |
|----|----------------------------|--------------------|
| A. | 00-12-FTHB/HLG-0432 | Loan: \$10,000.00 |
| | Interest 0% | Grant: \$10,000.00 |
| | 11972 Willowmist Ave. (36) | Term: 360 months |
| B. | 00-12-FTHB/HL-0436 | Loan: \$8,400.00 |
| | Interest 0% | Term: 150 months |
| | 8165 San Jose Street (07) | |

- | | | |
|----|--|---|
| C. | 00-12-FTHB/HL-0437 Interest 0% 7973 Heid Ave. (15) | Loan: \$20,000.00 Term: 357 months |
| D. | 00-12-FTHB/HL-0434 Interest 0% 847 Bordeaux (07) | Loan: \$19,000.00 Term: 339 months |
| E. | 00-12-FTHB/HLG-0435 Interest 0% 9812 Acer (25) | Loan: \$10,000.00 Grant: \$10,000.00 Term: 360 months |

.....
 Motion made, seconded and unanimously carried to move to the regular agenda the Request authorization to transfer to the Department of Parks and Recreation the amount of \$500.00 from Representative Hernandez' discretionary funds (District 8 account) to assist with the Groundbreaking Ceremony of the new Armijo Indoor Aquatics Facility.

Mr. Charles Nutter, Director of Parks & Recreation, stated on Thursday, December 11, 2001 at 3:30 p.m. a ground breaking ceremony will take place for the Armijo Indoor Aquatics Facility.

Motion made by Representative Hernandez, seconded by Representative Medina and unanimously carried to approve the authorization to transfer to the Department of Parks and Recreation the amount of \$500.00 from Representative Hernandez' discretionary funds to assist with the Groundbreaking Ceremony of the new Armijo Indoor Aquatics Facility.

.....
 *Motion made, seconded and unanimously carried to approve the requests for provisional appointments(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

- A. Cashier II, Municipal Court (1 Position)
- B. Economic Program Analyst II, Economic Development (1 Position)
- C. Traffic Signal Installation Supervisor (1 Position)
- D. Director of Personnel, Personnel Department (1 position)

.....
 *Motion made, seconded and unanimously carried to appoint Matthew F. Carroll to the Citizens' Advisory Committee for the Mass Transit Department, by Representative John Cook.

.....
 *Motion made, seconded and unanimously carried to appoint Kenneth "Ken" Gazelius to the Building Board of Appeals by Representative John Cook.

.....
 *Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Transamerica RET in the amount of \$1,192.73, overpayment of 1999 taxes.
(PID #C731-999-0100-0500)
- B. Transamerica RET in the amount of \$1,872.33, overpayment of 1999 taxes.
(PID E054-999-0250-4300)
- C. World Duty Free Americas, Inc. in the amount of \$34,961.60, overpayment of 1999 taxes.
(PID #K283-999-0050-0100)
- D. Adriana Escandon in the amount of \$978.54, overpayment of 1999 taxes.
(PID #M329-999-002B-1700)

E. Albert and Cruz Franco in the amount of \$1,789.73, overpayment of 2000 taxes.
(PID #P481-999-0210-2300)

F. Transamerica RET in the amount of \$1,952.49, overpayment of 1999 taxes.
(PID #P605-999-0050-1300)

.....
*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's option to extend Contract No. 1999-62-134C between the City of El Paso and Deery American Corporation, Frutia, Colorado to provide Crack Seal Materials for the El Paso International Airport (for two additional years) starting July 1, 2001, and ending June 30, 2003.

Department: El Paso International Airport
Funds available: 620003-203121
Funding source: Airport Operating Fund
Total amount: \$18,000.00 (estimated annually)

.....
*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's option to extend Contract No. 1999-37-243C between the City of El Paso and Davis Truck and Equipment Company, Inc., Dallas, Texas to provide Heil Proprietary Parts for the City of El Paso Equipment Maintenance Department (for two additional years) starting September 1, 2002, and ending August 31, 2004.

Department: Equipment Maintenance
Funds available: 370510-203121
Funding source: Equipment Maintenance Operating Fund
Total amount: \$40,000.00 (estimated annually)

.....
Motion made, seconded and unanimously carried to move to the regular agenda Bid No. 2001-032
Project - Yarbrough Drive Extension at El Paso International Airport.

Mayor Carlos M. Ramirez opened the discussion stating the City was ready to proceed. He added this project will enhance the Airport's Cargo Facility.

Mr. Byron Johnson, Director of Purchasing, made comments.

Mr. Gonzalo Cedillos, Director for Engineering, stated Huitt-Zollars is the architect for this project.

Mr. Pat Abeln, Director of Aviation, elaborated regarding the Air Cargo Facility and the new road construction and stated the Airport recommends approval.

Representative Ortega asked questions regarding the rerouting of truck traffic.

Motion made by Representative Medina, seconded by Representative Sariñana and unanimously carried to approve Bid No. 2001-032

Project: Yarbrough Drive Extension at El Paso International Airport
Contractor: C. F. Jordan, L.P.
El Paso, Texas

Department: Airport
Funding: 620026-50028-200-208027 - Airport - \$6,844,129.23
City Portion (Acct. No. to be determined)- \$ 770,000.00
Base Bid: \$7,614,129.23

Total Award: \$7,614,129.23 (Estimate)

That the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, the Purchasing Contract Compliance Administrator and the City Attorney.

Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

Description or Explanation:

| | | |
|-------------|---|----------------|
| Base Bid IA | - | \$5,975,043.83 |
| Base Bid IB | - | \$1,109,168.40 |
| Base Bid IC | - | \$ 529,917.00 |

Total Recommended Award: \$7,614,129.23 (Estimate)

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-011 Runway Closure Markers

| | |
|------------------|---|
| Award To: | Border States Traffic Supply, Inc. El Paso, TX |
| Item: | 1 |
| Amount: | \$28,000.00 |
| Department: | El Paso International Airport |
| Funds available: | 620020-208029-500004 |
| Funding source: | Airport Capital Outlay |
| Total amount: | \$28,000.00 |

The El Paso International Airport and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase two (2) Runway Closure Markers.

There is an option from the vendor to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within one hundred eighty (180) days, from the date of award of the contract.

Vendor offers a 1% fast payment discount if paid within 10 days. Amount after discount, \$27,720.00 (discount \$280.00).

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-020 Library Mass Market Paperback Books

| | |
|------------------|--|
| Award To: | Ingram Library Services La Vergne, TN |
| Item: | All |
| Amount: | \$15,000.00 (estimated annually) |
| Department: | El Paso Public Library |
| Funds available: | 130006-208039-501220 |
| Funding source: | Library Materials 2000A Issue |
| Total amount: | \$15,000.00 (estimated annually) |

The El Paso Public Library and Purchasing recommend award as indicated to the lowest responsive offer, by definition meeting specifications, from responsible parties.

This is a thirty-six (36) month requirements-type contract to purchase Library Mass Market Paperback Books. The Contract will officially begin at 12:01 midnight, February 1, 2001.

Vendor offers the City the option of extending the term of the contract for two (2) additional years at the same unit prices, if the option is exercised within twenty-four (24) months from the date of award of the contract. Vendor offers a 2% discount if paid within 10 days.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-073 Advanced Portable Detector

Award To: Environmental Technologies Group, Inc.
Baltimore, MD
Items: All
Total Award: \$83,144.00 Estimated
Department: Fire
Funds Available: 150024-208007
Funding Source: Emergency Management, Public Safety Equipment
Total Award: \$83,144.00 Estimated

Fire Department and Purchasing recommend awards as indicated as this vendor is the responsible and responsive bidder meeting specifications.

This is a one time purchase.

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT201-167 MUSEUM OF ART

Establish necessary funding for required appropriations from donations.

| | | | | |
|----------|----------|----|----------------------|-------------------|
| Increase | \$17,000 | to | 154001/540006/105060 | Donations |
| Increase | \$17,000 | to | 154001/540006/202215 | Outside Contracts |

.....
Motion made, seconded and unanimously carried to move to the regular agenda Budget Change BT201-176 POLICE

Representative Sumrall inquired as to which of the two Police canines would be replaced. Captain Mike Gill, El Paso Police Department, stated one canine is 11 years old and the other canine is experiencing eye problems and medical conditions. He added the handler assumes the responsibility of the dog financially.

Motion made by Representative Sumrall, seconded by Representative Sariñana and unanimously carried to approve Budget Change BT201-176 POLICE

The Department proposes to transfer the below funding. We need to replace 2 dogs in the Canine Section. A block grant was awarded less than anticipated and the cash match is not as much as expected.

| | | | | |
|----------|---------|------|----------------------|-------------|
| Decrease | \$9,000 | from | 150060/500231/206000 | Grant Match |
| Increase | \$9,000 | to | 150060/500231/208013 | Animals |

.....
*Motion made, seconded and unanimously carried to award BT201-185 PARKS & RECREATION

Request child care budget for Nolan Richardson Center. Center was constructed for a child care operation which is anticipated to open January 2001.

| | | | | |
|----------|----------|----|---------------|--------------------|
| Increase | \$47,800 | to | 510074/104304 | Child Care Revenue |
| Increase | \$37,392 | to | 510074/201011 | PT Temp |
| Increase | \$896 | to | 510074/201100 | Worker's Comp |
| Increase | \$37 | to | 510074/201101 | Unemployment |
| Increase | \$2,314 | to | 510074/201129 | FICA Match |
| Increase | \$560 | to | 510074/201130 | FICA Medical |
| Increase | \$1,000 | to | 510074/203101 | Minor Ofc Equip |
| Increase | \$3,000 | to | 510074/203116 | Rec Supplies |

.....

ORDINANCE 14743

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. SU-00021, TO ALLOW FOR A CHURCH ON A SITE OF LESS THAN THREE ACRES ON ALL OF TRACT 1A, BLOCK 5, UPPER VALLEY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS (186 MULBERRY AVENUE) PURSUANT TO SECTION 20.12.040.K. (ZONING) OF THE EL PASO MUNICIPAL CODE.**

Motion duly made by Representative Sumrall, seconded by Representative Hernandez that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
*Motion made, seconded and unanimously carried to postpone one week an Ordinance changing the zoning of the southeasterly 110 feet of Block 206, Alexander Addition, City of El Paso, El Paso County, Texas (401 Boston Avenue) from A-2/sp (Apartment/Special Permit) to A-O (Apartment-Office), and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Dr. Orestes Moldes / Representative: Mardi Crupper-Four Seasons Construction, Inc., 7365 Remcon Circle A-108, 79912; ZC-00058

ORDINANCE 14744

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF COACH OPERATOR/INSTRUCTOR BY CHANGING THE TITLE TO CHIEF COACH OPERATOR**

Motion duly made by Representative Sumrall, seconded by Representative Medina that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 14745

The City Clerk read an Ordinance entitled: AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **PLUMBER**

Motion duly made by Representative Sumrall, seconded by Representative Medina that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 14746

The City Clerk read an Ordinance entitled: AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **TRAFFIC ENGINEERING ASSOCIATE II**

Motion duly made by Representative Sumrall, seconded by Representative Medina that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 14747

The City Clerk read an Ordinance entitled: AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **TRAFFIC ENGINEER III**

Motion duly made by Representative Sumrall, seconded by Representative Medina that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 14748

The City Clerk read an Ordinance entitled: AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **TRAFFIC ENGINEER IV**

Motion duly made by Representative Sumrall, seconded by Representative Medina that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
Motion made by Representative Ortega, seconded by Representative Escobar and unanimously carried to postpone one week the Resolution approving Detailed Site Development Plan No. DP-00012, for all Lots in Hueco Mountain Village, Replat "A", El Paso, El Paso County, Texas (11850 Montana Avenue), pursuant to Section 20.04.140 of the El Paso Municipal Code. Zone: R-5/sp (Residential/special permit); Applicant: 11850 Montana, LTD / Representative: Kistenmacher Engineering Co., Inc., 1420 Geronimo Dr., El Paso, TX 79925

.....
*Motion made, seconded and unanimously carried to postpone five weeks the public hearing to determine if the Council Resolution of September 26th, 2000 for the property located at 512 Center Way, in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the council order has not been complied with.

.....
RESOLUTION

WHEREAS, the Building Official and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 917 N. Ochoa Street, in El Paso, Texas, which property is more particularly described as follows:

Lots: 9 & 10, Block 268, Campbell Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 2, Page 68, Plat Records of El Paso County, Texas

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; and

WHEREAS, Michael Torres, 5104 Flower Drive, El Paso, Texas 79905, record Owner, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on January 9th, 2001; and

WHEREAS, Michael Torres APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
 - a. That the Building located on said property is substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
 - b. That the Building is not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
 - c. That the Building is feasible to repair, and
2. That the City Council hereby orders Owner to comply with the following requirements:
 - a. That the premises be secured with a 6' chain link fence within 10 days; and
 - b. That the structure be secured from unwanted entry within 30 days; and
 - c. That the premises be cleaned of all weeds, trash and debris within 30 days; and
 - d. That the structure and premises be maintained clean and secured until rehabilitated; and
 - e. That a Public Hearing be scheduled for February 27th, 2001 in City Council Chambers to determine if the Council Order has been complied with and if not to determine penalties.
 - f. That the owners of said building are hereby ordered to comply with all the requirements of the resolution; and
 - g. That upon failure of the Owner to comply with this resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to demolish the Building and clean the premises of all weeds, trash and debris; and
3. That upon failure of the Owner to comply with this Order, the City of El Paso through its Deputy Director of Building Services shall secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owners of said property; and
4. That said Owners shall become personally liable for all costs incurred by City in connection with securing the Building secure and cleaning the premises of all weeds, trash and debris; and
5. That the costs incurred by the City in connection with securing the Building and cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and

6. That upon failure of the Owner to comply with this Order, one or all of the following actions will be taken:
 - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owners of said property, the cost of which shall be assessed as a lien against the property; and
 - b. That upon failure of the Owners to comply with this order the City Council may assess a civil penalty against the property Owners in an amount not to exceed \$1,000.00 a day for each violation or, if the Owners show that the property is the Owners lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
 - c. That upon failure of the Owner to comply with this order, the Owners may be confined in jail as permitted by state law; and
7. That upon failure of the Owner, any mortgages or lienholders to secure the structure and clean the premises so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
8. The Owner, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owners and all other persons having interest in the property as provided by law.

Mr. Bill Stern, Building Services Department, presented Council Members with slides regarding the property.

Mr. Michael Torres, property owner, stated the building was donated to his organization. He is working with an architect in order to bring the building into compliance.

Motion made by Representative Hernandez, seconded by Representative Cook and unanimously carried to approve the recommendations of the Department.

Representative Medina not present for the vote.

.....
*Motion made, seconded and unanimously carried to postpone five weeks the public hearing to determine if the property located at 906-908 N. Mesa Street, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished.
.....

Motion made by Representative Ortega, seconded by Representative Escobar and unanimously carried to award Bid No. 2001-023 Police Motorcycles (Rebid)

Award To: Barnett Harley-Davidson
El Paso, Texas
Item: 1 and 2

Amount: \$87,960.00
Department: El Paso Police Department
Funds available: 250101-208006-MB0001-130
Funding source: FY-2000 Certificates of Obligation
Total amount: \$87,960.00

The El Paso Police and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

A lower bid was received but did not meet specifications as detailed in the backup. Furthermore, it is requested to reject all bids submitted for items 1A, 2A, 3A and 4A since all bids received did not meet the specifications. These items are being deleted.

This is a fixed-price, single (one-time) purchase, to purchase eight (8) Police Motorcycles.

There is one option from the vendor to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within ninety (90) days, from the date of award of the contract.

No fast payment discount is offered.

Mayor Carlos M. Ramirez commented regarding the total number of new motorcycles for the Police Department.

Representative Medina made comments.

Police Chief Carlos Leon stated these will be marked Police motorcycles.

Representative Escobar asked if all of the motorcycle units would be replaced.

Chief Leon replied no, just the 1990 models.

Mayor Ramirez instructed Chief Leon to remind the Police Officers to work with the Maintenance Department so that the Police units can be properly maintained.

Chief Leon complimented the Equipment Maintenance Department.

Representative Ortega asked Chief Leon how much equipment and/or money has this Council provided for the Police Department.

Chief Leon stated he would get that information to Representative Ortega.

.....
Motion made by Representative Ortega, seconded by Representative Sumrall and unanimously carried to award Bid No. 2001-034 Pool Water Heaters

Award To: Grandberry Supply Corporation
El Paso, TX
Item: 1
Amount: \$17,941.18
Department: Parks & Recreation
Funds available: 250101-208009-MB0001-130
Funding source: FY 2000 Certificates of Obligation

Total amount: \$17,941.18

The Parks & Recreation and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase two (2) Pool Water Heaters for the Washington and Westside swimming pools.

There is an option from the vendor to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within sixty (60) days, from the date of award of the contract. Vendor offers a 1% fast payment discount if paid before 30 days. Amount after discount, \$17,761.77 (discount \$179.41).

.....
*Motion made, seconded and unanimously carried to postpone three weeks the discussion and action to accept a proposal by the El Paso Municipal Police Officers' Association to enter into a collective bargaining agreement pursuant to Chapter 174 of the Texas Local Government Code. (Chris McGill)

.....
Motion made, seconded and carried to extend the deadline until January 10, 2001 at 5:00 p.m. regarding the appeal on the recreational services for Chamizal Coalition/West Texas Council. (Margie Romo/Chamizal Collaborative)

Representative Sumrall and Representative Sariñana voted Nay.

Motion passed 6-2.

Ms. Margie Romo, Executive Director of St. Anne's Community Center, explained the history of why she was before City Council this morning.

Mr. Lorenzo Espinoza, Coordinator of West Texas Council of the Chamizal Coalition, stated he had submitted the required paperwork late.

Mayor Carlos M. Ramirez explained the background regarding this item. He read from a letter written by the Community Development Department.

Mr. Espinoza explained why his paperwork was submitted late and/or incomplete.

Mr. Robert Salinas, Community Development Department, explained the deadline was not met; however, the Department granted the West Texas Council an extension, which was not met. He added the Community Development Department recommends not granting a second extension.

Representative Ortega made comments.

Mayor Ramirez reiterated the organization was given an additional month to submit the paperwork in proper order.

Representative Cook made comments.

Mr. Alberto Smith, citizen, asked City Council to take whatever measures necessary to see that this organization is given a second chance. He added additional comments.

Mr. Roberto Macias, citizen, spoke regarding adhering to the specified time limits in reference to submitting proper paperwork.

Representative Hernandez responded to Mr. Macias' comments.

Mr. Salinas added there were seven sites, including the St. Anne's Community Center, which require paperwork.

Representative Medina made comments.

.....
Motion made, seconded and unanimously carried to delete the discussion regarding the appeal of denial of street name change from Artcraft to Ord Gary Drive at the City Plan Commission meeting held December 14, 2000. (Gonzalo M. Garcia and Wilma Gary Hays)

.....
Motion made by Representative Sariñana, seconded by Representative Hernandez and carried to move to the forefront the discussion and action on the Contractor License/I.D. Photo and the Apprenticeship Program. (Hector Arellano)

Representative Rodriguez voted Nay.

Lengthy discussion was held regarding this item.

Mr. Hector Arellano, representing Local Union 583 - International Brotherhood of Electrical Workers, stated this item was brought before Council approximately one year ago. He stated a receipt is given to craftsmen from the Building Services Department; however, as a craftsman, posting this receipt in a conspicuous place at a construction site is difficult. He is requesting Council approve the use of I.D. photos for individuals in the construction field.

Representatives Hernandez asked Byron Johnson, Director of Purchasing, for the status of the equipment.

Mr. Johnson elaborated on the equipment and its capabilities. He added the equipment has been purchased and will be set up for use by the end of February.

Mr. Terry Williams, Deputy Director of Building Services, stated the license is still the paper copy which the department issues. The badge will be a separate item which will be issued at no additional cost.

Representative Cook inquired as to color coding the different crafts.

Mr. Williams responded yes, each of the various trades will be coded differently and within the trade there will be a different identification such as the difference between a Master and a Journeyman, etc.

Representative Sumrall inquired as to having someone from the City check those working at a construction site to verify the individual being licensed.

Mr. Williams responded to Representative Sumrall's concerns.

Representative Hernandez asked Mr. Ed Drusina, Director of Public Works, regarding an advisory group being on the construction site to enforce the rules and regulations regarding the Apprenticeship Program.

Mr. Drusina stated if there were going to be advisory groups working out in the field, it would cause a conflict due to a professional inspector from the Building Services Department already performing these duties.

Mr. Arellano gave his final statements regarding the I.D. badges.

Mr. Williams responded to Mr. Arellano's statements.

Mr. Sariñana asked Mr. Williams why the photo I.D. couldn't be considered the license.

Mr. Williams explained that all craftsmen will be receiving a photo I.D. He added the department still requires a receipt for verification.

Mr. Arellano introduced Mario Fonseca, carpenter, who made comments regarding the Apprenticeship Program. Mr. Fonseca explained some individuals in the Apprenticeship Program are not aware of the policies and procedures, such as pay scales, etc. He asked Council who is monitoring the Apprenticeship Program.

Mr. Drusina stated the Apprenticeship Program is a strong program, implemented by Council approximately one year ago. Regarding the enforcement statements made by Mr. Fonseca, Mr. Drusina responded by saying, traditionally the responsibility falls either with the contractor(s) in regard to the federal obligations, otherwise the City's Purchasing Department enforces other responsibilities.

Mr. Johnson stated that the Purchasing Department handles the compliance with the Apprenticeship Program. There is an individual from the Purchasing Department who goes to job sites and verifies the payrolls and compliance of those in the Apprenticeship Program.

Representative Hernandez made statements regarding a contractor who is building a fire station in which the contractor did not have an Apprenticeship Program in place.

Mr. Johnson responded to her concern.

Mr. Fonseca made his final statements.

No action was taken regarding the discussion on the Contractor License/I.D. Photo and the Apprenticeship Program.

.....
No action was taken regarding the discussion on the El Paso Police Department's use of unmarked police vehicles to enforce traffic laws by Representative Larry M. Medina.

Mayor Carlos M. Ramirez opened the discussion.

Police Chief Carlos Leon stated there are currently seven unmarked cars. He added this is a tool to save lives.

Representative Escobar stated that all the vehicles are marked; however, they do not have the police lights on the tops of the vehicles.

Chief Leon added that the officers are trained and it is permissible for the individual to drive a short distance to a safe place where the ticket would be given. He also added the word "POLICE", spelled backwards, will be added to the front of the vehicles so when looking in the rearview mirror the word "POLICE" would be recognized.

Representative Cook stated he is 100% in favor of this program.

Ms. Sally Roberts, volunteer with the Victims Services Team, made comments in favor of this item.

Mr. Ray Baca, business owner, Mr. Albert Mendoza, citizen and Ms. Yvonne Sanchez, taxpayer, made comments in favor of this program. Mr. Robert Macias, citizen, questioned if it is necessary to have these cars.

Representative Medina responded to Mr. Mendoza's comments and made further statements.

Representative Ortega stated he is in favor of the unmarked vehicles. He inquired as to how many individuals have impersonated Police Officers.

Captain Ray Davis, El Paso Police Department, stated there were nine cases during the 1988-1989 year.

Representative Ortega asked at what times of the day would these vehicles be operating.

Captain Davis responded during rush hours such as: 7:00 a.m. to 9:00 a.m., 12 noon to 1:00 p.m. and 5:00 p.m. to 7:00 p.m.

Representative Sumrall stated the purpose of the unmarked vehicles is a good idea; addressing road rage, etc. She added she has no problem with the program as long as the vehicles add the additional markings.

Representative Escobar stated he is also in favor of the program; however, he stated he would ask that the vehicles not run at night.

Representative Hernandez stated she has not heard any negativity regarding the program.

Mayor Ramirez explained that the City has applied for, through the Texas Municipal League, the installation of cameras at intersections. He added that individuals need to obey the law. He also asked the Police Chief to fine tune the program in order that the City not be involved in any litigation.

Representative Sumrall commented on the lack of training for Police Officers. She asked the Police Chief to have officers specifically trained for this program.

Representative Medina commented on other Texas cities and gave statistics. He asked the Police Chief for the following: 1) that the vehicles follow a uniform code of standards; 2) the Officers have specialized training for the unmarked vehicles; and 3) have an ongoing public awareness program regarding the unmarked vehicle program.

.....
Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance permitting El Paso Golden Gloves to use the Carolina Recreation Center from February 9, 2001 through February 11, 2001.
- B. An Ordinance granting a Special Privilege to the Southwestern International Livestock Show & Rodeo, Inc. to temporarily close a portion of Boone Street between Paisano Drive and Delta Drive from February 1, 2001 through February 11, 2001. SP-00026 (Fee: \$605.00)

PUBLIC HEARING WILL BE HELD ON JANUARY 23, 2001 FOR ITEMS A - B

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further

notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

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ADDITION TO THE AGENDA

Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a Group Dental Service Agreement between the City of El Paso and United Dental Care of Texas, Inc. (Protective Dental Care), for a group dental coverage that shall be made available to City of El Paso employees effective from January 1, 2001 through December 31, 2001.

Representative Sumrall asked questions.

Mr. David Almonte, Department of Office and Management, responded that this is a three year contract and at the end of each year the contract is reviewed.

Representative Sumrall asked that the review of the contract might be made at the end of two years, instead of one.

Mr. Almonte elaborated on the different dental plans offered by the City.

Motion made by Representative Sumrall, seconded by Representative Hernandez and unanimously carried to approve the above Resolution.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

WHEREAS, the City entered an Interlocal Agreement with Texas Municipal League (TML) on August 24, 1999, for a plan of health benefits for City Employees and retirees;

WHEREAS, the Parties have agreed to certain changes to their Group Benefits Service Agreement;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a Group Benefits Services Agreement between the City of El Paso and the TML Intergovernmental Employee Benefits Pool, for a health insurance benefit option for City Employees from January 1, 2001, through December 31, 2001.

Representative Rodriguez asked questions.

Mr. David Almonte, Office of Management and Budget, responded to her questions.

Motion made by Representative Sariñana, seconded by Representative Hernandez, and unanimously carried to approve the above Resolution.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an application to Companion Life Insurance Company for Excess Loss Insurance coverage for City Employees to be effective May 1, 2000 through December 31, 2000, in connection with the City's Group Benefit Services Agreement with the TML Intergovernmental Employee Benefits Pool.

***RESOLUTION**

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A RAILROAD SIGNAL FORCE ACCOUNT AGREEMENT BETWEEN THE CITY OF EL PASO, THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT), AND THE UNION PACIFIC RAILROAD COMPANY FOR WORK ON OR NEAR RAILROAD RIGHT OF WAY FOR THE AIRWAY BOULEVARD AT AIRPORT ROAD PROJECT, EL PASO, EL PASO COUNTY, TEXAS.

WHEREAS, the City of El Paso and the State entered into an agreement for a local transportation project advance funding agreement for a State Transportation Project known as the reconstruction and concrete paving of Airway Boulevard, hereinafter called the Project; and,

WHEREAS, the Texas Transportation Commission passed Minute Orders 102542 and 107737 providing for the development and shared funding for the Project; and,

WHEREAS, some of the Project work will take place on or near Union Pacific Railroad right of way which necessitates an agreement between the Railroad, the State and the City; and,

WHEREAS, the City of El Paso desires to sign a Railroad Signal Force Account Agreement between the City, TXDOT and the Railroad to provide for the responsibilities of the parties as to work to be accomplished on or near Railroad right of way for the Project; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The Mayor is hereby authorized to sign, on behalf of the City, a Texas Department of Transportation Railroad Signal Force Account Agreement between the City, the State, acting by and through the Texas Department of Transportation, and Union Pacific Railroad to provide for the responsibilities of the parties for work to be accomplished on or near Railroad right of way for the Airway Boulevard Reconstruction Project. The Mayor is also hereby authorized to make any necessary budget appropriations or adjustments to comply with the intent expressed in this resolution.

***RESOLUTION**

WHEREAS, the City of El Paso, Texas ("the City"), and the County of El Paso, Texas ("the County"), established a Joint Revolving Loan Fund ("the Joint RLF") to be administered by Chase Bank of Texas, N.A. "Chase Bank"), utilizing funds available under the U.S. Department of Commerce, Economic Development Administration ("EDA") Section 209 Economic Adjustment Program, and as provided by the Texas Department of Housing and Community Affairs ("TDHCA"), respectively; and

WHEREAS, the Joint RLF was established pursuant to the terms of an Interlocal Agreement, dated May 16, 2000, between the City and the County, and a Revolving Loan Fund Program Agreement, dated May 16, 2000, among the City, the County, and Chase Bank; and

WHEREAS, the Program Agreement provides that the City and the County will cooperate with Chase Bank in order that loans made under the Joint RLF will be closed, funded and serviced in a timely and orderly fashion; and

WHEREAS, the City desires to authorize the Director of the Economic Development Department and, alternatively, the Chief Financial Officer of the City to execute such documents prepared by Chase Bank as will be necessary to close, fund and service such loans;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Director of the Economic Development Department and, alternatively, the Chief Financial Officer of the City be authorized to execute, on behalf of the City of El Paso, such documents prepared by Chase Bank as will be necessary to close, fund and service loans made pursuant to the Joint Revolving Loan Fund, established under the May 16, 2000, Interlocal Agreement between the City and the County of El Paso, and the May 16, 2000, Revolving Loan Program Agreement among the City, the County and Chase Bank of Texas, N.A.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Service Contract between the **CITY OF EL PASO** and **CHERYL BERNERO**, as a Public Services Librarian I for the El Paso Public Library at the rate of \$15.63 per hour, not to exceed 40 hours per week. Contract term is from January 12, 2001 through January 11, 2002 and is subject to the approval of the City's Civil Service Commission.

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RESOLUTION

A RESOLUTION FINDING THE PUBLIC NECESSITY FOR STREET IMPROVEMENTS IN THE KIMBERLY HEIGHTS SUBDIVISION, EL PASO, EL PASO COUNTY, TEXAS; AUTHORIZING THE MAYOR TO CONTRACT FOR THE IMPROVEMENTS AND SCHEDULING AN ASSESSMENT AMOUNT AND METHOD HEARING FOR SUCH IMPROVEMENTS BEFORE THE CITY COUNCIL AND PROVIDING FOR THE ADVERTISEMENT AND NOTIFICATION TO AFFECTED ABUTTING PROPERTY OWNERS.

WHEREAS, the Texas Transportation Code, Title 6, Chapter 313. Street Improvements and Assessments in Certain Municipalities, (Code), provides that the governing body of a municipality may determine the necessity for and order improvements to City streets; and,

WHEREAS, the Code also provides that the governing body may contract for the street improvements and provide for the payment of the costs of the improvements partly by the city and partly by the abutting property owners on an assessment basis; and,

WHEREAS, the Code further provides that an assessment against an abutting property owner shall be a first and prior lien on the property provided that the City conducts an assessment hearing with notice and an opportunity to be heard for the abutting property owners; and,

WHEREAS, the City Council, finds that the proposed street improvements for the Kimberly Height Subdivision are necessary public improvements and desires to set a date for the required assessment

hearing on the assessment amount and method for the cost of said improvements against abutting property owners in the Kimberly Heights Subdivision; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The City Council finds that the proposed street improvements for the Kimberly Heights Subdivision are necessary public improvements and hereby sets a public hearing on the method and amount to be assessed against abutting property owners in the subdivision for said street improvements in accordance with Section 313.048 of the Texas Transportation Code. Said hearing will also be the public hearing for the ordinance providing for the amount and method of assessment of the costs of the improvements against abutting property owners in the subdivision. The assessment ordinance will be introduced as required by City Charter, January 16, 2001 but will not be finally passed until after the public hearing on January 30, 2001. The public hearing for the ordinance will be held in City Council Chambers at City Hall, 2 Civic Center Plaza, El Paso, Texas, on Tuesday, January 30, 2001 at 10:00 o'clock a.m.

The City Clerk is hereby directed to publish, at least three times, in the City's newspaper, notice of said hearing pursuant to Section 313.047, Texas Transportation Code. City staff is further directed to send written notice of the hearing by mail, postage prepaid at least fourteen days before the hearing, to the abutting property owners who are to be assessed a portion of the costs of the improvements.

At the public hearing, the Public Works Department will provide testimony to the City Council regarding the nature of the improvements to be done, the special benefits to the properties affected, the streets or parts thereof to be improved, the estimated overall costs for the improvements, and the per front foot proposed assessment against the owners of abutting property in the subdivision.

Mayor Carlos M. Ramirez explained this item states there is a need to do this and sets a public hearing to have the public come in and comment on this.

Representative Sumrall inquired if this Resolution was regarding the Kimberly Heights litigation.

Charlie McNabb, City Attorney, responded an element of that litigation is to go through this procedure.

Motion made by Representative Ortega, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

Representative Hernandez was not present for the vote.

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Motion made by Representative Sariñana, seconded by Representative Cook and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

- | | |
|-----------------|--|
| Section 551.071 | CONSULTATION WITH ATTORNEY |
| Section 551.072 | DELIBERATION REGARDING REAL PROPERTY |
| Section 551.073 | DELIBERATION REGARDING PROSPECTIVE GIFTS |
| Section 551.074 | PERSONNEL MATTERS |
| Section 551.076 | DELIBERATION REGARDING SECURITY DEVICES |

Discussion and action on the following:

- A. Alana Johnson, 99-PD-6-2E (551.071)
- B. MGT of America, Inc., 00-C-267 (551.071)
- C. City of El Paso v. El Paso County Water Improvement District No. 1, 2001-014 (551.071)

D. Cities of Mercedes and Weslaco, v. Rio Grande Valley Gas Company, and Southern Union Company, d/b/a Southern Union Gas Company, Cause No. C-4558-95-G-2 (551.071)

Motion made, seconded and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

Motion made by Representative Medina, seconded by Representative Sumrall and carried that claim entitled **ALANA JOHNSON; Our File No. 99-PD-6-2E**, be **SETTLED** as recommended by the City Attorney.

Motion made by Representative Medina, seconded by Representative Escobar and unanimously carried to postpone one week MGT of America, Inc., 00-C-267

No action was taken regarding City of El Paso v. El Paso County Water Improvement District No. 1, 2001-014

Motion made by Representative Medina, seconded by Representative Sumrall and unanimously carried that the City Attorney's Office is authorized to file an objection to Proposed Class Action Settlement in *Cities of Mercedes and Weslaco v. Rio Grande Valley Gas Company, and Southern* Cause No. C-4558-95-G-2 as recommended by the City Attorney.

Representative Cook was not present for the vote.

Motion made by Representative Medina, seconded by Representative Sumrall and unanimously carried that the City Attorney's Office is authorized to withdraw from the class in *Cities of Mercedes and Weslaco v. Rio Grande Valley Gas Co.*, Cause No. C-4558-95-G-2 as recommended by the City Attorney.

Representative Cook was not present for the vote.

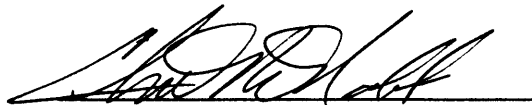
Motion made by Representative Ortega, seconded by Representative Sumrall and unanimously carried to adjourn this meeting at 2:15 p.m.

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Carole Hunter

Carole Hunter, City Clerk



Charles McNabb, City Attorney